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REMARKS

Claims 1-13 are pending in the application. Claims 1, 12, and 13 have been amended by the present amendment. The amendments are fully supported by the application as originally filed (see, e.g., specification at page 23, lines 2-6).

Claim 1 was rejected under 35 USC 102(c) as being anticipated by U.S. Patent 6,449,056 to Mishima et al. ("Mishima"). Claims 2, 3, 5, 6, and 8-13 were rejected under 35 USC 103(a) as being unpatentable over Mishima in view of U.S. Patent 4,573,083 to Shimizu. Claim 4 was rejected under 35 USC 103(a) as being unpatentable over Mishima in view of Shimizu, and further in view of U.S. Patent 5,216,520 to Omura et al. Claim 7 was rejected under 35 USC 103(a) as being unpatentable over Mishima in view of Shimizu, and further in view of U.S. Patent 5,055,945 to Oguma et al. These rejections are respectfully traversed.

Regarding at least independent claim 1, the Mishima reference does not teach or suggest a communication system including a timer section for timing the lapse of a waiting period such that **upon expiration of the waiting period, the receiver terminal calls the transmitter terminal to request re-transmission of data.**

According to Mishima, free memory capacity is expressed as a percentage of full memory capacity as time elapses (see column 19, lines 52-55; FIG. 29). On page 2 of the Office Action of 06/20/2005, this expression of free memory capacity was cited as corresponding to the claimed "timer section for timing the elapse of a waiting period." However, Mishima does not disclose a receiver terminal calling the transmitter terminal to request re-transmission of data.

In the Office Action, it was also asserted that an internal timer of the panel display in Mishima corresponds to the claimed "timer section" (see column 21, lines 29-35 of Mishima). However, there is no teaching or suggestion that the internal timer is capable of timing the lapse of a waiting period for recovery from a shortage of free space in a storage section. Instead, the internal timer of Mishima is provided to control the time for switching between routines on the operation panel (see column 21, lines 29-35; FIG. 35). Therefore, the internal timer of Mishima cannot be considered a "timer section" as recited in claims 1, 12, and 13.

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There is simply no teaching or suggestion in Mishima of "a timer section for timing the lapse of the waiting period *such that upon expiration of the waiting period, the receiver terminal calls the transmitter terminal to request re-transmission of the data*" (emphasis added), as recited in claim 1.

Regarding at least independent claims 12 and 13, the Mishima and Shimizu references, whether taken alone or in combination, do not teach or suggest a communication system, method, or storage medium in which a waiting period is calculated for recovery of storage space **and upon expiration of the waiting period, the receiver terminal calls the transmitter terminal to request re-transmission of data.**

In Shimizu, transmission of image data is made "without a new notice" upon expiration of a waiting time (see column 12, lines 22-27). The image data can be stored in memory for a predetermined period, but subsequently is automatically transmitted after lapse of the period of unavailability (see also claim 1 of Shimizu).

Therefore, the proposed combination of Mishima in view of Shimizu does not teach or suggest a receiver terminal having a timer section for timing the lapse of a waiting period such that upon expiration of the waiting period, the receiver terminal calls the transmitter terminal to request re-transmission of data.

It is believed the application is in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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